

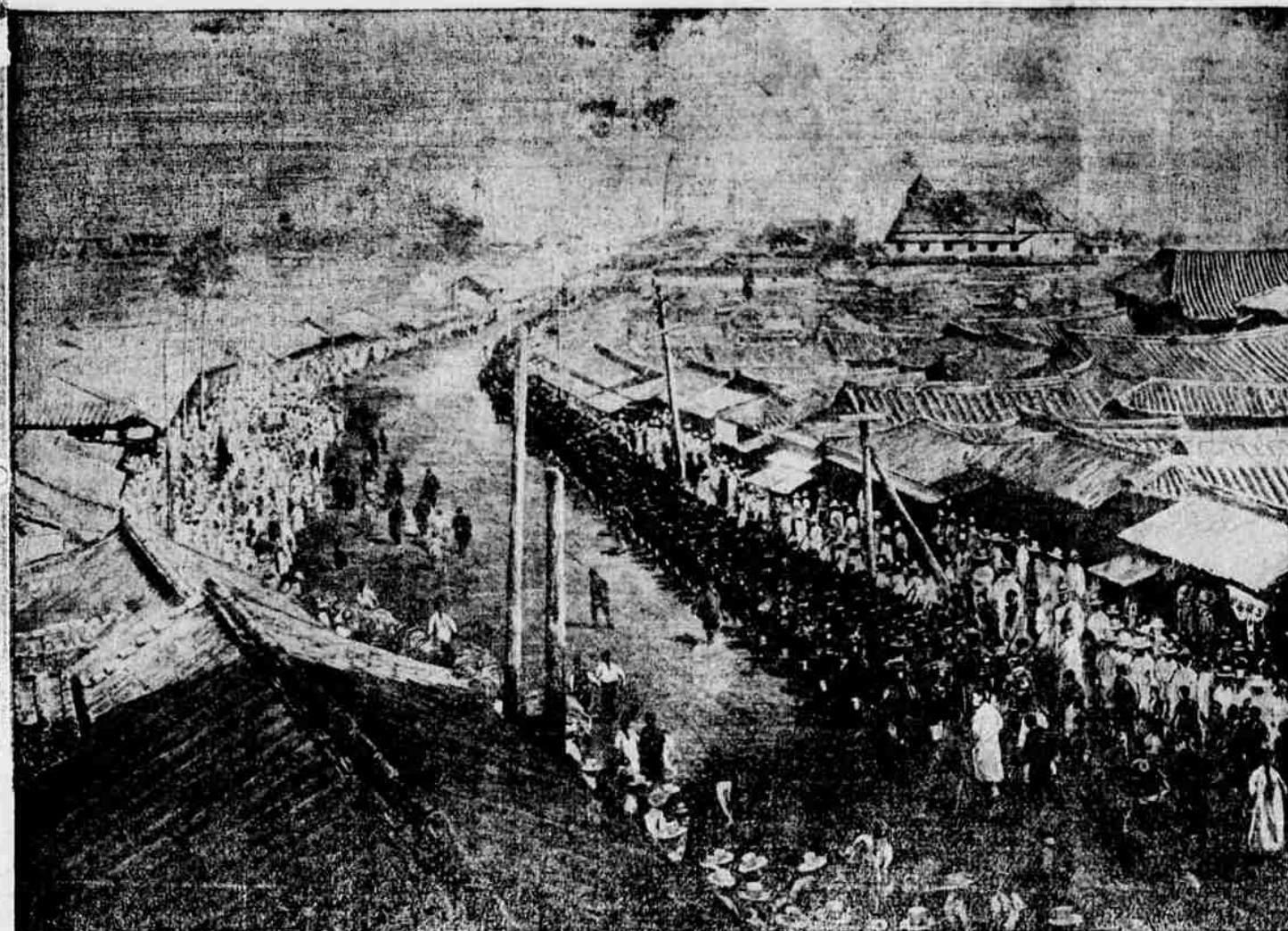
# Hawaiian Gazette.

VOL. XXXIX, NO. 42.

HONOLULU, H. T., TUESDAY MAY 24, 1904—SEMI-WEEKLY.

WHOLE No. 2592.

## REGULAR SIEGE OF PORT ARTHUR IS COMPELLED



OLD KOREA IN THE HANDS OF NEW JAPAN: A REGIMENT OF THE MIKADO'S TROOPS PASSING THROUGH SEOUL.

## Russians About Retreating From Liaoyang and Mukden and Threaten to Burn the Towns Behind Them.

(ASSOCIATED PRESS CABLEGRAMS.)

HIROSHIMA, May 24.—The late naval disaster involves the utilizing of the second plan for the reduction of Port Arthur. This includes the entrenching of the besieging land forces before any decisive operations are attempted.

### THIRD JAPANESE ARMY.

YINKOW, May 24.—The third Japanese army is mobilizing at this point.

### UNLUCKY BATTLESHIP OREL.

KRONSTADT, May 24.—An explosion has occurred on board the battleship Orel, which was floated yesterday after stranding. Gas had accumulated in the bunkers and by its explosion ten stokers were killed.

### JAPANESE SPIES ARRESTED.

KRONSTADT, May 24.—Four Japanese spies have been arrested here.

### NEW CRUISERS CAPTURED.

ST. PETERSBURG, May 24.—It is rumored that the Vladivostok squadron has captured the three cruisers purchased of Chili by Japan.

### RUSSIANS TO RETREAT.

LIAOYANG, May 24.—The Russians are preparing to retreat. SHANGHAI, May 24.—The Russians threaten to burn Liaoyang and Mukden before retiring.

The Tartar Viceroy has ordered the Chinese troops to occupy Mukden after the Russians have retired.

### ROLLING STOCK ASSEMBLED.

FENGWANGCHENG, May 24.—One hundred locomotives and eight hundred cars have been collected here for the transportation of troops.

### BURNING AND MARAUDING.

SEOUL, May 24.—The Russians have burned five hundred houses at Hamhung. Marauding bands are harrying the rural population. A force of Japanese has been sent north for the protection of the natives.

### AFTERNOON REPORT.

ST. PETERSBURG, May 23.—The blowing up of the Russian cruiser Bogatyr of the Vladivostok squadron is now admitted. The ship grounded and it was impossible to save her. The guns were taken from the ship before it was destroyed.

The loss of the Russian cruiser Bogatyr at Vladivostok means a serious crippling of the fleet of four fast Russian commerce destroyers which have been operating out of Vladivostok. The Bogatyr was a vessel of 6,500 tons, 423 feet long, fifty-two feet beam and twenty-one and three-fourths feet deep. She was armed with twelve 6-inch guns, twelve 3-inch, eight 3-pounders, two 1-pounders and four torpedo tubes. Her speed was twenty-three knots.

ST. PETERSBURG, May 23.—It is reported that a land attack on Port Arthur by the Japanese has been repulsed.

TOKIO, May 23.—Three hundred sick and wounded soldiers from General Kuroki's army have arrived at Tokio.

NEWCHWANG, May 23.—The Russian troops are reoccupying Newchwang and have begun fortifying the place anew.

### OFFICER AND MEN KILLED.

TOKIO, May 23.—During a reconnaissance Friday by Vice-Admiral Togo at Port Arthur a shell struck the destroyer Akatsuki killing one officer and twenty-four men.

### OREL IS FLOATED.

ST. PETERSBURG, May 23.—The battleship Orel has been floated.

### SECOND JAPANESE LOAN TAKEN.

TOKIO, May 23.—The bankers have agreed to accept the second popular loan of fifty millions.

### REPORT OF PORT ARTHUR SORTIE.

LONDON, May 23.—An unconfirmed report has been received of a sortie at Port Arthur.

### RUSSIANS RETURNING.

FUSAN, May 23.—Two thousand Russians have reoccupied Hsiuyen.

LONDON, May 23.—It is reported that Viceroy Alexieff has tendered his resignation, giving ill-health as his reason. The Czar has graciously declined the proffered resignation.



CRUISER DESTROYED BY THE RUSSANS AT VLADIVOSTOK, THE BOGATYR.

## APPRECIATE ATTENTIONS

### Mr. Ferguson Conveys Thanks of Philippine Visitors.

Before the departure of the Siberia on Saturday Mr. Ferguson, secretary and interpreter of the Philippine Commission to the St. Louis Exposition, wrote the following note to E. M. Boyd, secretary of the Hawaiian Promotion Committee:

Dear Mr. Boyd: Permit me, through your good channel, to convey to the gentlemen composing the committee representing the Honolulu commercial bodies, who on yesterday made the day so enjoyable and full of interest and profitable information to the members of the honorary board of commissioners to the St. Louis Fair, the sincere thanks of the Government of the Philippine Islands and the executive committee of the honorary board.

It is indeed a pleasure for all of us, on reaching the former advanced guard of our western civilization, to find how well the hardy pioneers of Christianity and civilization builded, and to acknowledge gladly the much that we, as the more advanced outpost now of that same progressive American spirit, can learn from you.

Every member of our party will take with him to our common mother country the most pleasant memories of our all too short stay among you and expresses the hope that your great article of export will ever be emblematic of the conditions of this garden spot in the Pacific.

With renewed thanks and remembrances,

Very faithfully yours,

A. W. FERGUSON.

## NO STAMPS FOR THE SETTLEMENT

The Legislature in extra session cut out the appropriation for postage stamps at the settlement, and the amount required for that purpose will have to come from the general appropriation. About forty dollars' worth of stamps were used every month at Kalapapa, the government buying these for the inmates. This was done as all stamps on letters from the settlement were affixed at the postoffice, a formal solution being used for that purpose.

U. S. District Attorney R. W. Breckons was entertained at the Japanese Club, Waikiki, last night by way of a sendoff to the mainland. Acting Governor Atkinson, Collector Chamberlain, Marshal Hendry, Editor Shiozawa, A. K. Ozawa and Dr. Katsunuma were among those present.

## SEATTLE OPIUM SEIZURE.

(ASSOCIATED PRESS CABLEGRAMS.)

SEATTLE, May 24.—Crude opium to the value of \$20,000, smuggled by way of Victoria, has been seized here. Four of the ringleaders in the traffic, who have been operating for years, were arrested.

### OIL VESSEL BLOWN UP.

SAN FRANCISCO, May 23.—The schooner Fanny Adele, loaded with oil and gasoline, blew up at her dock today. The schooner was a total loss.

The schooner Fanny Adele, in 1900 and 1901, was well known in the Hawaiian inter-island trade. During that time she was under the management of the Inter-Island Steam Navigation Co. After leaving here she went into the Pacific Coast trade.

### BOXING MATCH ARRANGED.

NEW YORK, May 23.—Terry McGovern and Eddie Hanlon have been matched to fight.

### DECLINES BISHOPRIC.

LOS ANGELES, May 23.—Bishop-elect Day, recently selected by the Methodist Conference, has resigned.

### MARSHALS BY MOROS.

MANILA, May 23.—The Moros at Malabon attacked and murdered 12 Filipino employees who were working for the military government.

## GOVERNOR'S BUSY DAY

### Health and Public Works Matters Before Atkinson.

Secretary Atkinson had his first experience as governor yesterday and it was a strenuous one. He was engaged with callers until after five o'clock and has a better idea of the responsibilities of government than he ever had before.

In the morning Acting Governor Atkinson had a long interview with Supt. McVeigh on settlement matters, which was followed by a discussion with Representative Sam Kellinoh over improvements to be made on Maui under the loan bill.

Mr. Atkinson also talked over with Supt. Holloway various improvements now under way and about to be started. These included road board matters and rights of way to be acquired on this island. Supt. Holloway will leave for Hawaii in a couple of weeks to inspect personally the public work under way on the big island.

Treasurer Campbell also called on the Acting Governor to consult him regarding applications for liquor licenses. A number of licenses were granted, among them being the following: Kimura, dealers at Wailuku, Otto Meyer, light wine and beer, Wailuku; J. S. Canario, saloon, Hilo; Manuel Leal, wine, beer and ale, Molokai, Oahu; Demosthenes Lyeurgus, special license, Hilo. The Acting Governor and Treasurer refused to grant a license to Ah Lee of Waihee, Maui, on the ground that the proposed saloon wasn't needed. There were protests also from the people of the city. An application of Miller for a license at King and River streets was also refused as it was outside the retail limits.

President Pinkham of the Board of Health called on the Acting Governor during the afternoon to discuss the duties of government physicians under the reduced appropriation made by the legislature. It was agreed that they should be relieved of their duty of calling on the indigent sick and would be required only to send statistics to the Board of Health.

## JAP IS SHOT BY A NATIVE

In an altercation on Sunday afternoon at Kaneohe between a native named Luhiokano and a Japanese named My-mura, the former shot the latter with a revolver, the bullet striking him in the leg. Luhiokano was arrested and confined in the Kaneohe jail. The wounded Japanese was brought to Honolulu and taken to the Japanese Hospital on Liliha street. His wound is not dangerous.



# Hawaiian Gazette.

Entered at the Postoffice of Honolulu, H. T., Second-class Matter.

SEMI-WEEKLY.

ISSUED TUESDAYS AND FRIDAYS.

WALTER G. SMITH, Editor.

SUBSCRIPTION RATES.

Per Month, Domestic ..... \$ .50  
Per Month, Foreign ..... .75  
Per Year, Domestic ..... 5.00  
Per Year, Foreign ..... 6.00

Payable Invariably In Advance.

A. W. PEARSON, Manager.

TUESDAY : : : : MAY 24

## THE END OF THE CHAPTER.

The arrest of E. S. Boyd, charged with the embezzlement of land funds, rounds out an affair of the Territorial government, which, from the very inception, drew from this paper and from a large part of the public, the most emphatic criticism.

Soon after the first Legislature met, the Home Rule Senate, acting in harmony with the then Republican Territorial Central Committee, conspired to force Wm. H. Wright, James H. Boyd and E. S. Boyd into the official family of Governor Dole. This journal, knowing the men and the motives, objected, but without avail. The plea of "harmony" which, like the mantle of charity is made to cover a multitude of sins, was accepted by the Governor and Wright and the two Boyds were made Treasurer, Superintendent of Public Works and Land Commissioner respectively. It was not long before Wright ran away after confessing himself a thief. Then a shortage being found in the Department of Public Works, James H. Boyd was indicted and tried, but escaped punishment without, however, telling where the missing funds had gone. And now E. S. Boyd is under arrest, charged with embezzling land funds. Surely the Advertiser, which, with just cause, attacked the land office throughout the Boyd administration, has a right to say "We told you so."

It should not be forgotten that, while indictments were being put where they would do the most good, several were fitted around the necks of the right hand men of the three "harmony" officials. Among the several morals to be derived from the Wright-Boyd affair is the one that no administration, for the sake of "harmony," can afford to make doubtful appointments. So far Governor Carter, by his admirable make-up of an official family, has got good men in the higher places; but small sealaws of one sort or another are all the time being grafted on the clerkships, at the instance of politicians, who are trying to build up personal machines but pretend that they are seeking to "consolidate the party." It is a great pity that the merit system, now in force in the national government, cannot be applied here. Nothing would scatter the job-chasers sooner and it would make the minor administration of affairs respectable for the first time in years.

## THE TOBACCO EXPERIMENT.

The first failure in the Hamakua tobacco experiment demonstrates very well the value of such an institution as the United States Experiment station to the islands. When Director Smith first suggested the possibility of success in tobacco culture in Hawaii, a great many people were anxious to immediately test the assertion, being lured by flattering accounts of immense profit with tobacco under shelter in other places.

But Mr. Smith advised caution. He told those people who were anxious to make the trial for themselves that it would be much better to await the result of the federal experiments which were to be conducted by men of previous experience in tobacco culture. The result has justified the wisdom of the advice given by the head of the agricultural department of the United States in Hawaii. Although it is by no means certain that tobacco cannot be both successfully and profitably grown in the islands, yet it has been sufficiently demonstrated that February is not a good month for planting, and that the tobacco plant needs the sunshine of the warm months to insure proper growth. Had all the men who wanted to make a fortune from tobacco gone into the field in February last, at the time the experiment station experts began work, their losses might have reached into thousands of dollars, and tobacco as a probably profitable industry for the islands would have been given a set back from which it might never have recovered. The intelligently directed experiments of the federal authorities have demonstrated several things of untold value for future efforts, and tobacco will be given another trial with more chances of success, now that the first lesson has been learned. It is for just such work that the Department of Agriculture at Washington is being carried on and one small failure will not react to prevent all further efforts as it is so apt to do when only private enterprise is concerned.

The Yucatan government is going about the campaign for small farmers in a practical way. It has provided for a term of five years premium of \$25 to every family that comes to the state for the purpose of engaging in agriculture. Each family must consist of three members or more and must have lived on some land in the state six months before the allowance is made good.

The building of the Hamakua ditch will be a big step forward in the prosperity of Hawaii. A million dollars is a low estimate of the cost of the improvement.

The foundation of a new month will be the first anniversary of the capture of the ship and the return of the crew to the United States.

## THE SPLENDORS OF RADIUM.

When San Francisco in 1896 was under the control of the Vigilance Committee, William H. Rhodes, whose pseudonym was "Caxton," wrote a powerful story, the point of which was the end of the career of a conscience-stricken man, who carried in his pocket a bottle, containing a colorless liquid, a few drops of which were sufficiently powerful to destroy the world.

Since the discovery of radium, it almost seems as if this imaginary and tragical possibility had become true. It was first extracted from pitch-blende by a French professor and his wife, M. and Madame Curie, the latter a modern woman, scientific, domestic and charming, and it is now principally supplied, fortunately in minute quantities, from their laboratory in Paris.

The most remarkable, indeed the characteristic, feature in radium, is its extraordinary condensation, independently of any exposure to light or heat, of forces that are at once life-supporting and destructive. Henry Becquerel found that uranium and some other metals gave off continuously rays like the X-rays of Professor Roentgen, which penetrated opaque substances and affected photographic plates. These were called "Becquerel rays" and their characteristic property was radio-activity, which was due to the radium and polonium that uranium, for example, contained, and which, in 1898, were isolated and since then have been subjected to countless experiments. Though far more powerful in its effects, radium is kindred to the Blondiot N-ray.

Many conclusive evidences of the stores of light and heat focused in this substance have been furnished. Dr. Edwin Booth, instructor of chemistry at the University of California, was very successful in his investigation. He substituted rays of radium for the rays of the sun, in a dark room, in a manner that resulted in demonstration. In two photographic plate boxes he placed a key, a pair of scissors and a coin, wrapped in light-proof paper, and over the boxes suspended a tube, containing 100 milligrams of radium or as much as could be put into the end of a thimble. The distance between the tube and the top of the boxes was half an inch, and the rays had to pierce the two covers and the paper. After an exposure of thirty-six hours, the key, the scissors and the coin were distinctly reproduced and the plate was developed as though it had been exposed to the sun.

Similar results have been accomplished in many places. Professor A. B. Crook, of the Northwestern University, says that, without even extracting the very small quantity of radium in it but solely through its presence, photographs can be taken by pitch-blende. Its distinctive capacity is illustrated by the statement that, by its use, the entire population of Paris could be killed within a few hours or days. Sir William Ramsay, before the Royal Institution in London, referred to the emission by radium of helium, supposed to be the principal constituent of the sun's atmosphere. He stated that this emission was not direct, but that a heavy gas was sent forth, which slowly changed to helium and then vanished, and that the gas could be collected in flasks, but would disappear within a month. This he regarded as the same process as a change of gold into iron, and, he claimed, in this way, the inconstancy of the elements had been proved, and the problem of the transmutation of metals, which after centuries of effort had been abandoned, become affirmatively solved.

Radium is a dynamo-energy without fuel. If immersed in ice or in the intense cold of liquid air, it continues to give out light and heat, and it is estimated that this emission would last for millions of years. As T. C. Porter, of Eton College, has argued, analysis has broken down the atomic theory, and the new discovery tends in the direction of the theory that there is one basis of all matter, of which the elements are merely visible forms.

In cancer, diabetes, diphtheria, consumption and other diseases, the effect of the use of radium has been decided, though not uniformly successful. Professor Frederick Kohlrausch found that it increases the electric conductivity of water, which it also sterilizes, and, by the communication of radio-activity, kills the germ of diphtheria. Professor Gusenbauer of Austria, in instances of cancerous contraction of the esophagus, ascertained that it could be used to enlarge the gullet, and thus render artificial nourishment unnecessary. Professor Tarkhanov, of St. Petersburg, in a lecture before the Military Association of that city, disclosed two instances of the cure of cancer by the application of radium rays, and further stated that they would revolutionize war because they would penetrate opaque substances and, at long distances, explode powder magazines. One of the Russian professor's propositions has not held good in other experiments with cancer, but the other ones account for the remarkable success thus far of the Japanese in the territorial war.

The concentration of a large share of the world's power in a small body has produced considerable material activity, and it is also interesting to observe

people, who will not be anxious that the demand for radium should be met by the supply. It would appear that a very high protective tariff on this revolutionary substance is not undesirable.

## CLOSING PEARL HARBOR.

While no official notification has been received here from the Navy Department relative to the closing of Pearl Harbor to foreign warships, such an order is being transmitted to foreign governments.

The new order requires that permission be first requested before admission to certain naval ports in the United States will be granted.

The General Board has made this recommendation and in accordance with it the State Department has transmitted this memorandum to all its diplomatic and consular representatives abroad. "The General Board is of the opinion that with the exception of the below named ports no restriction should be placed on the visits of foreign men-of-war or other public vessels either as to number or period of stay in ports within the United States or under their control. Neither should it be required that previous permission must be obtained. The general board is further of the opinion that before visiting any of the several named ports the foreign men-of-war or public vessels should be required to ask permission from the Secretary of the Navy through their respective ministers and the State Department: Tortugas, Fla.; Great Harbor, Cuba; the ports and anchorages of Kiska Island, Aleutian Archipelago; Guantanamo, Cuba; Pearl Harbor, Hawaii; Guam; Subig Bay, Philippine Islands. It is of course understood that any foreign vessel before entering the actual limits of a navy yard in any port of the United States would first apply for permission."

## PROGRESS OF THE WAR.

Takushan, where more Japanese troops are landing, is on the Liaotung coast about 80 miles northeast of Pitzewo, the scene of the first landing of the second army. Evidently these forces constitute the second division of an army corps and are intended either to co-operate in the siege of Port Arthur or to hold an intermediate position between the Yalu and Liaotung armies.

It is not clear what is happening on the route of the Yalu army. The Japanese retreat from Fengwengcheng is confirmed from Newchwang but there is no support for the earlier rumor that the invaders lost a battle there. The retreat may be a tactical move due to the dangerous extension of the Japanese line; or it may be that the Russians are beginning to appear in overwhelming numbers and that the Japanese commander feels it advisable to get on better fighting ground than Fengwengcheng affords.

Chefoo reports hearing a terrific explosion from the direction of Port Arthur. There are many possibilities in this, but the most plausible theory is that the Russians are blowing away channel-obstructions. Water is a better conductor of sound than air and a heavy explosion on the sea floor at Port Arthur might easily be heard across the narrow part of the Gulf of Pechili.

From the statistics given the war seems to have affected the policy of governments but little. The following figures show the total tonnage of battleships building and projected: Great Britain, 187,000; Russia, 125,270; Germany, 103,575; United States, 209,180. It is further stated, as regards battleships projected, that the numbers are: Great Britain, two; United States, one; but that the British Admiralty have no knowledge of the four Russian and two German ships altered in some quarters to be projected. The numbers actually under construction are again given as: Great Britain, eight; Russia, nine; Germany, eight; United States, thirteen.

It is a matter of minor consideration whether the one accused did or did not destroy House Vouchers, in comparison with the establishing of the fact that anyone having custody of such records may destroy them only at his peril. There is no doubt for the future that the evidences of how legislative expenses are disbursed constitute public documents guarded by United States law. While the courts will hold the custodians of legislative vouchers accountable for their preservation, the taxpayers should hold their representatives in the Legislature to strict account for the manner in which sessional appropriations are expended.

According to the Chicago Chronicle, asphalt pavements in that city are a disappointment. A little more than four years ago the Chicago corporation decided to adopt asphalt exclusively in new street making. From the Chronicle's article on the subject, it is less the material than the mode of using it which is found wanting. Asphalt pavements have proved to have lasting qualities in other cities. What would condemn them at their best for Honolulu, if the question came to a head here, is their capacity of absorbing and reflecting heat.

With the men who should know predicting four cents for Hawaiian sugar, better times appear to be in store for the men who have put all their faith in the future of the main island industry.

The Boyd family contract seems to have made pretty good for itself. Now there's the 114 Wick to pay.

Hawaii's first political party will be the first to see the light of the day.

# GARNISHEE NOT LIABLE

## Bank of Hawaii Had No Time for an Answer.

The Supreme Court in an opinion written by Chief Justice Frear, for the unanimous court, reversed the Circuit Court yesterday in the case of Bank of Hawaii vs. W. C. Parke. Judgment by default was entered against the bank as garnishee in the sum of \$556.16, the defendant having failed to answer.

The following is the syllabus of the opinion: "Under the statute, an order of default cannot properly be entered against a garnishee for failure to appear and answer at the opening day of the term to which the summons is returnable. No written answer is required of the garnishee. He may appear and make his disclosure orally under oath at the trial or at any time before the trial. "Such order of default should be set aside on the garnishee's motion made between the first and second days of the trial, and a final default judgment against the garnishee should not be entered for his failure to appear and offer to disclose while that order remained unrevoked."

# PLANTERS THEIR OWN BUG FANCIERS

The sugar planters are establishing an entomological department for themselves at their experimental station. This important advance is announced as follows in the Hawaiian Agriculturist and Forester for May:

An entomological department of its own is being established by the Hawaiian Sugar Planters' Association at its Experiment Station, Makiki. This important expansion of the Association's activities has been occasioned by the unusual attack on sugar cane by the leaf-hopper and numerous fungi during the past two years. Insectariums, laboratories and office quarters will shortly be erected, and all the entomological work of the Association will then be conducted independently to the Division of Entomology of the Territorial Board of Agriculture. This government service will continue in operation, but with a much smaller staff and at less expense.

## LOCAL BREVITIES.

A son of Mr. and Mrs. W. P. Kapulani was baptized at the Catholic church on Saturday evening.

The Almy house-boat case was on in Federal court for the greater part of yesterday. It will continue this morning.

Two Japanese were held to the grand jury by Commissioner Judd yesterday for an immoral offense. A third man was held for conspiracy.

Henry Kapea, the young Hawaiian who embezzled a large sum from the Hawaiian Trust & Investment Company, has been located in Shanghai.



Grandfather used it over 60 years ago.

Then the children, and now the grandchildren.

# Ayer's Cherry Pectoral

The oldest and best remedy for coughs, colds, bronchitis, and all throat and lung troubles. Beware imitations.

In large and small bottles.

Avoid contamination. Hasten a cure by the use of Ayer's Pills.

Prepared by Dr. J. C. Ayer & Co., Lowell, Mass., U.S.A.

HOLLISTER DRUG CO., Agents.



ENGRAVINGS

## LOCAL BREVITIES.

(From Saturday's Advertiser)

Delegate Kuhio cabled friends in the city yesterday that he would return with the ex-Queen on the Sonoma.

The accounts of George A. Davis, as guardian of Mrs. Tewksbury, come before Judge Robinson at 9 o'clock this morning.

Senator and Mrs. Cecil Brown, with their daughter, Irene Dickson, returned in the Siberia from a visit of several months to the Orient.

Superintendent Holloway will abolish the office of assistant road supervisor at the end of this month. H. C. Vida will retire in consequence.

The Governor has proclaimed the cession to the United States of a remnant of land required for squaring up the Honolulu postoffice site.

Motion for judgment by default has been filed by H. G. Middleditch, attorney for plaintiff, in the suit of Lewers & Cooke, Ltd., vs. Moana Hotel Co., Ltd.

C. M. Swift, a Manila railroad man who is a passenger on the Siberia, is of the opinion that Philippine trade will not boom until railroads are built in the islands.

Mr. Lewis of Hongkong is a passenger on the Siberia en route to England. He accompanied Mr. Tony Afong, who is his partner in many enterprises in China. Mr. Lewis is one of the wealthiest men of Hongkong.

Dr. C. B. Cooper, who is to be president of the Leprosy Committee at the national convention of physicians to be held under the direction of Surgeon-General Wyman of the U. S. Marine Hospital Service, departs today on the Siberia for Washington.

(From Sunday's Advertiser)

Superintendent G. P. Denison of the O. R. & L. Co. has returned from Hilo. Walter C. Weedon is going to China to investigate some business matters.

Waikiki Inn will be reopened today under the management of E. G. Hartman.

John O'Rourke has a race horse from the Coast due at Hilo in the steamer Enterprise today.

Pacific Heights foreclosure sale has now been ordered to take place on Monday, June 13.

Mrs. W. I. Madeira of Hilo will leave in the steamer Alameda for a visit to her parents in Madison, Wis.

Secretary A. L. C. Atkinson is Acting Governor of Hawaii until Governor Carter's return to the Territory.

Director Jared G. Smith of the U. S. Experiment Station has returned from a visit to the trial tobacco planting in Hamakua.

W. E. Fisher, auctioneer, sold Waikiki Inn, lease to run eight years and complete equipment, at public auction to J. Lightfoot for \$2500.

There was nothing further to give out about the Land office embezzlements yesterday, the auditing of the books not having been completed.

Besides Peters, Braymer and Kamalopoli, clerks now in the office, Albert Barnes and T. B. Lyons are mentioned in connection with the chief clerkship of the Public Lands Department, forfeited by Stephen Mahaulu.

C. L. Clement was released on bonds yesterday in the sum of \$500. Chas. Bellina is his surety. The case against him brought by Ed. Towse, of the Mercantile Printing Co., has been postponed for hearing until tomorrow.

Judgment for \$1524.82 rendered by the late Judge Estee against the schooner Kawaihau, for carrying okolehao distilled without license, has been satisfied. Collector Chamberlain has received the money from Clerk Mailing of the Federal Court.

(From Monday's Advertiser)

Forester Hosmer has returned from an inspection of forests in Kahuku.

C. R. Brown will leave in the Alameda for a business trip to Bremen.

Senator Kalaualani returned yesterday from a tour of Maui and reports himself as well satisfied with conditions in the Home Rule party as he saw them.

Bishop Libert is planning a visit to Hilo about the third week in June to administer the Sacrament of Confirmation. After this visit Father Oliver of Hilo intends to leave for a visit to Belgium.

W. J. Coelho is the new clerk of the Maui Circuit Court.

The drive of the Parker ranch cattle has begun at Waiman.

The annual meeting of the Bar Association will be held at four o'clock tomorrow. New officers will be elected, as the present officers decline re-election.

W. Pike and J. Maddocks, who are under suspension of sentence to leave the islands on charges of vagrancy, will leave for the Coast in the Alameda tomorrow.

The indictment against F. J. Testa for libel, filed yesterday by the Territorial Grand Jury, was served on Testa last evening. He was released on his own recognizance.

Under the economy plan of the government the courts yesterday were compelled to do without ice-water, excepting for one tank. Judge Gear sent for ice when he found there was none about the court-room.

George Davis has written a letter to Deputy Attorney General Peters, scoring the department for revoking his notary license. This is reported to have been done for non-payment of fee, but Davis says that he had resigned long ago.

Amama, the Chinese clerk for Green & Co., who obtained money from the firm on a forged check, has not been heard from. Although a reward of \$100 is offered for his apprehension it seems likely that he will not be found in the islands. His father's home in Hamakua is being watched by the police.

Miss Marion Logan was to leave Bremen, Germany, in the steamer Princess Alice today, to return to her Honolulu home after an absence of four years, the first summer as the guest of the Misses Kim at Lolo, Oahu, and the remainder of the time as the guest of Mrs. John H. King of Honolulu.

# Catarrh

## Invites Consumption

It weakens the delicate lung tissues, deranges the digestive organs, and breaks down the general health.

It often causes headache and dizziness, impairs the taste, smell and hearing, and affects the voice.

Being a constitutional disease it requires a constitutional remedy.

## Hood's Sarsaparilla

Radically and permanently cures catarrh of the nose, throat, stomach, bowels, and more delicate organs.

Read the testimonials.

No substitute for Hood's acts like Hood's. Be sure to get Hood's.

"I was troubled with catarrh 20 years. Seeing statements of cures by Hood's Sarsaparilla resolved to try it. Four bottles entirely cured me." WILLIAM SHERMAN, 1030 6th St., Milwaukee, Wis.

Hood's Sarsaparilla promises to cure and keeps the promise.

## BUSINESS CARDS.

H. HACKFELD & CO. LTD.—General Commission Agents, Queen St., Honolulu, H. I.

F. A. SCHAEFER & CO.—Importers and Commission Merchants Honolulu, Hawaiian Islands.

LEWERS & COOKE.—(Robert Lewers, F. J. Lowrey, C. M. Cooke.)—Importers and dealers in lumber and building materials. Office, 415 Fort St.

HONOLULU IRON WORKS CO.—Manufacturers of every description made to order.

## HONOLULU STOCK EXCHANGE.

Honolulu, May 23, 1904.

NAME OF STOCK	Capital	Vol.	Bid.	Ask
MERCANTILE.				
C. Brewer & Co., .....	\$1,000,000	100	.....	300
SUGAR.				
Ewa, .....	5,000,000	20	19 1/2	21
Haw. Agricultural, .....	1,200,000	100	.....	.....
Haw. Com. & Sugar Co., .....	2,312,750	100	45	.....
Hawaiian Sugar Co., .....	2,000,000	100	102 1/2	.....
Honolulu, .....	750,000	100	102 1/2	.....
Honokaa, .....	2,000,000	20	.....	14
Kahuku, .....	500,000	100	100	100
Kihel Plan. Co., Ltd., .....	2,500,000	50	.....	18
Kipahulu, .....	100,000	20	.....	115
Koloa, .....	500,000	100	.....	.....
McBryde Sug. Co., Ltd., .....	3,500,000	20	3	3
Oahu Sugar Co., .....	3,500,000	100	.....	85
Oloahua, .....	1,000,000	20	.....	.....
Olokaia, .....	500,000	20	.....	6
Oloa Sugar Co., Ltd., .....	5,000,000	100	.....	80
Oloahua, .....	1,000,000	100	.....	280
Panama Sug. Plan. Co., .....	5,000,000	100	.....	.....
Pacific, .....	500,000	100	.....	.....
Pioneer, .....	2,750,000	100	72 1/2	77 1/2
Waialua Agri. Co., .....	4,500,000	100	37 1/2	40
Waikiki, .....	700,000	100	.....	.....
Waimanalo, .....	250,000	100	.....	100
STEAMSHIP CO.				
Wilder S. S. Co., .....	500,000	100	.....	117 1/2
Inter-Island S. S. Co., .....	600,000	100	90	95
MISCELLANEOUS.				
Haw. Electric Co., .....	500,000	100	96	.....
H. R. T. & L. Co., Ltd., .....	1,000,000	100	.....	80
H. R. T. & L. Co., C., .....	150,000	10	.....	8 1/2
Mutual Tel. Co., .....	4,000,000	100	.....	75
O. R. & L. Co., .....	1,000,000	20	.....	.....
Hilo R. R. Co., .....	1,000,000	100	.....	.....
BONDS.				
Haw. Gov't, 5 p. c., .....	.....	.....	.....	.....
Haw. Ter., 4 p. c. (Fire Claims), .....	.....	.....	.....	.....
Hilo R. R. Co., 5 p. c., .....	.....	.....	.....	.....
Hon. R. T. & L. Co., 5 p. c., .....	.....	.....	.....	.....
Ewa Plant., 6 p. c., .....	.....	.....	.....	.....
O. R. & L. Co., 6 p. c., .....	.....	.....	.....	.....
Oahu Sugar Co., 6 p. c., .....	.....	.....	.....	.....
Oloa Sugar Co., 6 p. c., .....	.....	.....	.....	.....
Waialua Agri. Co., 6 p. c., .....	.....	.....	.....	.....
Kahuku 8 p. c., .....	.....	.....	.....	.....
Pioneer Mill Co., 6 p. c., .....	.....	.....	.....	.....

## SALES BETWEEN BORDERS.

One hundred and thirteen Kihel, \$5.

## METEOROLOGICAL RECORD.

By the Government Survey, Published Every Monday.

Day	BAROM.		THERM.		Relative to 9 a.m.	Humidity Clouds	Wind	Force
	9 a.m.	3 p.m.	Min	Max				
S	14.30	02.29	67	82	00.81	5-0	*	1-0
M	15.30	06.30	67	81	00.74	4	NNE	1-0
W	16.30	07.30	71	81	00.63	3	NNE	1-0
T	17.30	07.30	68	81	00.68	1	NNE	1-1
W	18.30	07.30	68	82	00.64	4	NNE	1-0
O	19.30	08.30	66	82	00.61	1	NNE	1-0
F	20.30	09.30	65	81	00.71	1-5	WSW	0



# ONE JUROR IS LACKING

## Meheula Is Again Before the Court.

A jury will probably be secured in the Meheula case immediately upon the opening of court by Judge De Bolt this morning. Eleven jurors have already been obtained and the defense has exhausted the last of its peremptory challenges. The jurors now on the panel, who will serve, are: James Bicknell, G. Childs, John Coffee, E. O. K. East, J. J. Dias, John Kidwell, P. Ryan, R. W. Davis, E. S. Norrie, J. H. Craig, A. Lucas.

J. H. Craig was the last of the jurors accepted as satisfactory. Ashford tried to have him disqualified but without success. After asking the usual formal questions Ashford wanted to know if the juror didn't recollect a little quarrel he (Ashford) had had with him on election night in the Eighth Precinct.

"Yes," replied Craig, "but after election day I am through with politics."

"Then you are not prejudiced against the defendant's attorney?"

"Not at all," was the reply.

Mr. Wodehouse was excused on peremptory challenge by the defense and the panel was then exhausted. Judge De Bolt sent the bailiff to pick jurors from the bystanders, but when the first arrived Mr. Ashford objected and the court held that the procedure could not be followed out unless by agreement on both sides. A special drawing of five jurors was made from the box, but Deputy Sheriff McGurn could find but two of the men, and Ashford again objected to examining either of these unless the drawing should be made from the five names. It was then decided to take an adjournment until this morning at 9:30 o'clock, when all five jurors are expected to be on hand.

Judge De Bolt overruled the motion to quash the indictment of Meheula upon the opening of court yesterday morning and the case proceeded to trial immediately. Meheula is being tried now on a charge of gross cheat, it being alleged in the indictment that he cashed a warrant for which there had been no consideration. He is alleged to have sold to the Government thirty copies of the code, which he had obtained from the Secretary's office.

An effort is being made to have the members of the House residing on Maui and Hawaii examined this morning, in order that they may leave on the Kinohi at noon. The representatives are simply to be questioned as to whether or not they received the copies of the codes which were alleged to have been turned over to the government by Meheula.

### MOTHERS

should know. The troubles with multitudes of girls is a want of proper nourishment and enough of it. Now-a-days they call this condition by the learned name of Anemia. But words change no facts. There are thousands of girls of this kind anywhere between childhood and young ladyhood. Disease finds most of its victims among them. Some of them are passing through the mysterious changes which lead up to maturity and need especial watchfulness and care. Alas, how many break down at this critical period; the story of such losses is the saddest in the history of home. The proper treatment might have saved most of these household treasures, if the mother had only known of WAMPOLE'S PREPARATION and given it to their daughters, they would have grown to be strong and healthy women. It is palatable as honey and contains all the nutritive and curative properties of Pure Cod Liver Oil, extracted by us from fresh cod livers, combined with the Compound Syrup of Hypophosphites and the Extracts of Malt and Wild Cherry. In building up pale, puny, emaciated children, particularly those troubled with Anemia, Scrofula, Rickets, and Bone and Blood diseases, nothing equals it; its tonic qualities are of the highest order. A Medical Institution says: "We have used your preparation in treating children for coughs, colds and inflammation; its application has never failed us in any case, even the most aggravated bordering on pneumonia." The more it is used the less will be the ravages of disease from infancy to old age. It is both a food and a medicine—modern, scientific, effective from the first dose, and never deceives or disappoints. "There is no doubt about it," said by all chemists here and throughout the world.

### COTTON CASE ON TRIAL.

The trial of the case of the Territory of Hawaii vs. Cotton Brothers, being the suit for \$25,000 damages for the loss of the government dredger in Pearl Harbor, was begun before Judge Gear yesterday. Ex-Supt. Boyd was on the stand and the government is still engaged in proving ownership and value of the property lost.

### GRAND JURY REPORT.

The grand jury made another report to Judge De Bolt at three o'clock yesterday afternoon. Seven indictments were returned and all were placed on the secret file. Among the indictments is said to be a new one against F. J. Testa for criminal libel.

### COURT NOTES.

In the Maage divorce suit Judge Gear yesterday allowed Mrs. Maage alimony of fifty dollars a month, and fifty dollars as temporary attorney's fees. Judge Gear, at 9:30 this morning, will give a hearing to settle interrogatories in the Maage divorce case for sending with Miss Ryan's commission to San Francisco.

Notice of appeal has been given from judgment for defendant in the case of C. S. Desky vs. C. W. Booth et al. Judgment was entered yesterday for plaintiff in the sum of \$9201.19 in Clark & Henery vs. H. Hackfeld & Co.

## SAVED FROM HANGMAN

### Kimura Will Stay in Prison for Life.

Acting Governor Atkinson yesterday signed a commutation of sentence for Kimura, the Waiakua Japanese sentenced by Judge Gear to hang for murder. The action was agreed upon before the departure of Governor Carter and the death sentence is commuted to imprisonment for life.

Kimura was convicted of the murder of a woman at Waiakua two years ago. Kimura practically admitted the crime upon his arrest, and his defense in court was very weak, as he was unable to pay an attorney. The Supreme Court refused a new trial, although intimating that Kimura had not been given a proper defense. The document provides that Kimura be imprisoned in Oahu Prison or the Territorial penitentiary for the remainder of his natural life.

## MEHEULA MUST BE TRIED AGAIN

Judge Dole yesterday granted a new trial to Solomon Meheula, previously convicted of destruction of public documents. Meheula will probably not be tried at this term, and it is doubtful if he can be convicted again, unless additional evidence is disclosed before the second trial.

Judge Dole in his decision holds that there was sufficient proof that Meheula acted as clerk of the House and grants the motion for the new trial on the point suggested by the court during the argument, namely, that admissions made by the defendant in the grand jury room could not be used against him in a criminal proceeding. Concluding the court says:

On the first point made by counsel for the prosecution, to-wit: That Section 860 of the Revised Statutes only refers to evidence obtained from a witness by means of judicial proceedings which he is compelled to give or which is in the nature of involuntary evidence. I do not find that he is supported by the authorities. The wording of the statute offers no loophole for such a construction, it says no "discovery or evidence obtained from a party or witness by means of a judicial proceeding in this or any foreign country shall be given in evidence or in any manner used against him or his property or estate in any court of the United States, in any criminal proceeding or for the enforcement of any penalty or forfeiture." In the case of Counselman vs. Hitchcock, 142 U. S. 554, the Court, in discussing the extent of the application of this statute, says, after quoting the statute:

"It follows that any evidence which might have been obtained from Counselman by means of his examination before the Grand Jury, could not be given in evidence or used against him or his property in any court of the United States in any criminal proceeding, or for the enforcement of any penalty or forfeiture. This, of course, protected him against the use of his testimony against him or his property in any criminal proceeding in a court of the United States."

*Sunday Advertiser*

# MILLION DOLLAR HAMAKUA DITCH WILL BE BUILT

## Three Plantations Will Use Thirty Million Gallons of Water---Mr. Pollitz on the Sugar Situation and War on the Trust.

Negotiations have been practically completed for the construction of a million dollar ditch by the Kohala Ditch Co. to supply water to three Hamakua plantations—Kukui, Honokaa and Paauhau. The final papers await the completion of negotiations by the Paauhau Plantation Co. which must first secure extension of leases or purchase certain lands to be watered from the ditch. Edward Pollitz who is here in the interest of the company hopes to close the deal in time to return to San Francisco on the Alameda Wednesday morning.

Mr. Pollitz has been in the islands for nearly a month as the representative of San Francisco stockholders in a number of plantations and has completed his work with the exception of the extension of the Paauhau leases. He is much pleased with the sugar situation in the islands and ventures the prediction that the 1904-5 crop of sugar will be marketed at four cents. He is also much interested in the report of the combination of sugar agencies to get relief from the oppression of the sugar trust, and predicts a bright future for the islands. While here Mr. Pollitz discussed with Manager H. P. Baldwin of the Hawaiian Commercial Co. the necessity of enlarging the mill of that plantation in order to take care of the big crop expected next year.

ENLARGING MILL. "What brought me to Honolulu was the wish to discuss certain matters with the president of the Hawaiian Commercial Co., Mr. Baldwin, which we could do better in that way than through correspondence," said Mr. Pollitz who is director of the company. The enlargement of the mill has been under discussion, as this will be necessary in a short time, probably a year, when we expect a much larger output of sugar. Several minor matters, such as grinding contracts were also discussed.

THE HAMAKUA DITCH. "The second matter which called me to Honolulu was the building of the Hamakua ditch, a proposition having been made to the plantations in that district to furnish them with a quantity of water sufficient to insure a much larger output and also to guarantee the estates against dry seasons. The directors of the different plantations agreed to enter upon a contract, but found that it was impossible for the Paauhau plantation, of which I am a director, to join in with the other plantations at present in executing a contract for water to be taken from the Hamakua Ditch Co. The obstacle in the way was the necessity of making a contract with the ditch company extending beyond the life of certain leases of land upon which the plantation had come. The negotiations for the extension of these leases or the purchase of the land are now in progress, and I hope to have the matter settled so that I can leave in the Alameda Wednesday. It would of course be useless to contract for water to be used on some other person's land.

OF IMMENSE BENEFIT. "In this case as well as that of the Hawaiian Commercial my brother directors thought best to deputize one of their number to bring the matter to a close, rather than carry on endless correspondence. The carrying out of the program agreed upon would be of immense benefit to the district on the island of Hawaii as it would insure a larger output of sugar and would also bring in a million dollars in money in the building of the ditch. Kukui, Honokaa and Paauhau are the three plantations interested, the interests being somewhat identical with those of the Hamakua Ditch Co. The intention is to use about thirty million gallons of water daily, provided of course that the leases which now form the only obstacle, can be extended. The Hamakua ditch will be constructed prior to the Kohala ditch, the two projects being under one company, the water being brought from the Kohala Mountains to the Hamakua side of the island.

## KALAKAUA THE SECOND CHRISTENED AT WAIKIKI

(From Monday's Advertiser)

With the christening yesterday of the infant son of Prince and Princess Kawananakoa at the pretty chapel of St. Augustine at Waikiki, the name of the "Merry Monarch of Hawaii" was revived, for the young Prince will bear the name of David Kalakaua II. In the natural line of succession to the throne of Hawaii, were the monarchy still in existence, the young Prince would be heir to the crown and scepter, after Prince David Kawananakoa.

The ceremony of christening the infant was a beautiful one and was attended by a large gathering of friends of the family. The chapel was artistically decorated by Mr. Ernest Parker, the scheme throughout being a happy contrast in white and green. Flower petals, white and green, were scattered about the altar and the floor which gleamed in the light of many of brilliant candles. The large

### THE SUGAR SITUATION.

"The general view I take of affairs in the islands is, that after the inflation of values three or four years ago, a reaction has set in which carried things further than was justified," continued Mr. Pollitz.

"I believe the reaction has brought values far down below the intrinsic worth of stocks, and has in its results been more acute than was the inflation on the other side. Now things are coming to their natural level.

THE LEAF HOPPER. "The leaf hopper I understand has done a great deal of damage, but from what I have seen and heard and from our own manager I believe the pest has run its course. Its progress has at least been checked and the greatest danger seems to have passed.

RETRENCHMENT POLICY. "I found a very healthy spirit here in the way of retrenchments to take place. The agents and boards of directors seem to agree in their opinion that the low price of sugar necessitates the most urgent economy and they have started in to prune expenses as much as possible.

### FIGHTING THE TRUST.

"The sugar factors I see are to act as a unit hereafter in making contracts for the joint sale of the product of the islands. This I believe is a right step to be taken. I believe it is absolutely necessary for plantations to emancipate themselves from the oppression of the sugar trust with the ultimate result of marketing our product in a refined state, the better it will be for all concerned. This of course would carry us much further than I would care to talk about at present, as a question of this kind, involving as it does the interests of the whole islands can hardly be discussed in an offhand way. But the fact that the sugar factors are for once unanimous in opinion and in the determination to protect themselves, is sufficient to make us look for a favorable solution of the problem.

### A GRATIFYING OUTLOOK.

"The outlook for raw sugar is decidedly gratifying. Raw sugar has been advancing steadily and it is now quoted at pretty near a parity with the European markets. The Cuban crop is reported short about 200,000 tons. The sowings and plantings in Europe have fallen off considerably and this year we will certainly have the result of seeing the whole surplus, the sugar of the world, which has been laying on us with a heavy hand for years, eaten up. So the opening campaign of the season will find the world without a surplus to reckon with. The consumption of sugar is increasing at quite an unexpected rate, while on the other hand the production is not keeping step with it. As incident of this I might mention that during the first sixty days following the abolition of bounties the increase in the consumption of sugar in France and Germany amounted to 256,000 tons. This of course is an enormous increase and certainly could not be considered normal. We must consider that sixty days prior to the abolition of the bounties, the people handling sugar, anticipating the abolition of the bounties, had been selling close to the wind in their demands, and were simply buying from hand to mouth.

"We have received an average five per cent advance on an average five per cent for our sugar."

"Why is that?" Mr. Pollitz was asked. "You had better inquire of the sugar trust," was the reply.

### SUGAR AT FOUR CENTS.

"Last year I predicted four cent sugar in a year," continued Mr. Pollitz, "and the last sale reported was at 3.55. I believe sugar will do a little better still. In view of the facts I have given and the statistics which I have been studying and gathering for years I am led to believe that a fair average for the crop of 1904-5 will not be less than four cents. The people on the coast are very hopeful of seeing Hawaiian securities, which for a time had been extremely popular, on a dividend paying basis."

them being Col. and Mrs. Samuel Parker and other near relatives of the two families. As the clergy, Bishop Libert officiating, with Father Valentini assisting, entered the chapel preceded by the altar boys, a trio consisting of Miss Campbell, Miss Dowsett and Miss Rhodes sang a beautiful selection to the organ accompaniment. The clergy then proceeded to the main entrance where the infant to be christened was met. The little one was borne into the chapel and to the font in the arms of Miss Rosie Cunha accompanied by Miss Louise Bradley the two being the godmothers, both young ladies having been classmates of the Princess at Santa Clara.

The impressive christening ceremony was read by Father Valentini, and all due forms of the church being observed, the Bishop added his blessing after the name "David Kalakaua" had been given to the little one. Throughout the ceremony the infant preserved a quiet decorum not unlike that generally accredited to his august namesake.

The ceremony was brief, and the guests then went to the Campbell residence at Diamond Head where they were greeted with music by a Hawaiian quintette. The Prince and Princess met the guests at the entrance. After viewing the presents in the rose-filled music-room, all repaired to the lawn, where in the shade of a large rubber tree, small tables, prettily decorated, had been placed, and at which dainty refreshments were served. Champagne punch was used in drinking to the health of the princely heir of the Kawananakoa.

Princess Kawananakoa was handsome in a beautiful white lace gown made over tulle and large white picture hat with a magnificent sweeping ostrich feather as its adornment. To the chapel service she also wore a cloak of white tulle. Miss Cunha and Miss Bradley looked pretty in their summery gowns. Miss Cunha wore a pale dress of soft white material and a pretty blue picture hat. Miss Bradley wore a pale blue and white foulard gown with hat to match.

Among those who were present at the christening ceremony and the reception were Admiral Glass, U. S. N., and Mrs. Glass, Hon. A. S. Cleghorn, Col. and Mrs. Samuel Parker, Mrs. Hobdy, Mrs. Highton, Miss Kelley, Mr. and Mrs. George Fairchild, Mrs. Sanford B. Dole, Miss Dole, Mr. and Mrs. A. S. Humphreys, Mr. and Mrs. A. G. Hawes, Mr. Bliss, Mr. George Bliss, Judge and Mrs. W. L. Stanley, Mr. and Mrs. Eben Low, Mr. and Mrs. J. Alfred Magoon, Mrs. Elizabeth Froeth, Mrs. Caroline Bush, Mr. and Mrs. J. O. Carter, Mr. and Mrs. E. M. Boyd, the Misses Bradley of California, Mr. and Mrs. H. Wingate Lake, Mr. Walter Macfarlane, Mr. and Mrs. H. M. von Holt, Miss Brune, Mr. and Mrs. E. D. Tenney, Mr. and Mrs. George Beckley, Miss Juanita Beckley, Mr. and Mrs. James D. Dougherty, Mrs. A. P. Taylor, Mr. and Mrs. Chas. F. Chillingworth, Mr. and Mrs. Allan Herbert, Miss Mary Low, Mrs. Luther Wilcox, Mrs. Nawahi, Mr. Vent, Mr. and Mrs. Chas. L. Rhodes, Mrs. Emmet May, Mrs. C. B. High, Mrs. Margaret Roth, Mr. and Mrs. H. F. Davidson, Mr. and Mrs. McCrosson, Miss McCrosson, Mrs. Kaniaka Stillman, Miss Rosie Cunha, Miss Irene Dickson, Miss Violet Macroe, Miss Genevieve Dowsett, Mr. and Mrs. Gerard Barton, Miss Ada Rhodes, Mr. Ernest Parker, Mrs. Klamm, Mrs. Hatch, Miss Kaufmann, Lieut. Slattery, U. S. A., Mr. and Mrs. Brasch, Dr. Walters, Dr. and Mrs. F. Howard Humphris, Mrs. Will Lewis, Mrs. Cunha, Mr. A. R. Cunha, Mrs. Charles T. Wilder, Miss Hoare, Miss Agnes McIntyre, Mr. and Mrs. Ahlo, Mrs. Theresa Wilcox, Mr. C. W. Ashford.

## M'VEIGH IS NOW A MAGISTRATE

J. D. McVeigh, superintendent at the Leper Settlement, was yesterday appointed by Acting Governor Atkinson as district magistrate for Kalaupapa to succeed the late Thomas Nathaniel. There is a salary attached to the office of district magistrate in the settlement, but McVeigh has agreed to serve without pay, and the appointment will be a measure of economy on the part of the government.

Mr. McVeigh's appointment is only temporary. At present there is no candidate for the position who is believed by Acting Governor Atkinson to be exactly suitable for the place, and Mr. McVeigh will fill the vacancy until some permanent appointee is decided upon.

IT WORKS LIKE MAGIC.—The relief obtained from Chamberlain's Pain Balm when applied to a burn or scald is so nearly instantaneous that it seems almost magical in its effect. An injury of this kind heals without maturation when this remedy is applied and unless the wound is very severe does not leave a scar. For sale by all dealers and druggists, Benson, Smith & Co., Agents for Hawaii.

Made



Every day

# INJUNCTION DISSOLVED

## An Important Leasehold Decision by Judge Robinson.

Judge Robinson rendered a decision yesterday in the injunction case of William McCandless vs. Lee Chew. As stated, it was "a bill to enjoin and restrain the defendant from tearing down and removing certain wooden structures or buildings, erected by the defendant upon certain premises owned by plaintiff and occupied by defendant as tenant of plaintiff."

The lease was of premises at Palama for five years from January 1, 1900, for a rental of \$200 per annum, and contained a covenant by the lessee that at the end of the term, he would peacefully deliver up the premises to the lessor "with all future erections or additions upon or to the same." Plaintiff relied on this covenant in bringing the suit when the lessee, on January 15 last, began to tear down and remove the buildings he had erected on the premises.

Defendant has used a part of the ground for raising vegetables. He kept a hack-stand in town. The buildings were erected and used to shelter and take care of horses and wagons, also a portion of them as lodgings for defendant and his employees. He charged the men \$2 a month room rental each but did not always collect it. Defendant claimed the right to remove the buildings, irrespective of the covenant mentioned above, on the ground that they were trade fixtures, being intended for use and used solely by him in his business of raising vegetables and in conducting a hack-stand, and therefore removable by him at any time before the expiration of the lease.

Having discussed many authorities, English as well as American, Judge Robinson holds "that the buildings involved in the case at bar are trade fixtures, removable by the tenant at any time during the term of his lease." In view of a Massachusetts case, where the covenant was identical with that in this case, the court's opinion is that the "covenant cannot be extended so as to deprive the tenant of the right to remove trade fixtures put by him upon the premises during the term."

"In my judgment," Judge Robinson concludes, "the temporary injunction heretofore issued herein should be dissolved and the bill dismissed. Let a decree be entered in accordance herewith."

One of the interesting citations by the court is the following:

"In the case of Van Ness vs. Pacard, 2 Pet. 137 (7 Law Ed. 374), cited by counsel for the defendant, the Supreme Court of the United States held that the question whether fixtures erected for the purposes of trade are or not removable by the tenant, does not depend upon the form or size of the building; whether it has a brick foundation or not, or is one or two stories high; or has a brick or other chimney. The sole question is whether it is designed for the purposes of trade or not."

## AGRICULTURIST ON NEW BASIS

With its May number, the Hawaiian Forester and Agriculturist announces itself as an independent journal, its connection with the "Planter's Monthly" having been terminated. W. M. Giffard, who retains the editorship, says in noticing the change:

"The journal will continue under the direction and control of the Board of Commissioners of Agriculture and Forestry, but the business management will be in the hands of the publishers, the Hawaiian Gazette Co., Ltd., to whom all correspondence relating to subscriptions and advertising should be addressed. All contributions to the journal must be addressed to the editor, P. O. box 308."

The subscription rate has been placed at the nominal figure of \$1 a year for the United States and \$1.25 a year foreign, postage paid.

Practical articles in the current number are upon papaya and tobacco cultivation, the method of using leaf-hopper parasites and advice to fruit growers. Dr. L. Van Dine, entomologist at the U. S. Experiment Station, contributes an article on the pineapple scale, while a letter is printed from Leopold G. Blackman on the introduction of bats. The entire issue sustains the editor's statement in his introductory remarks, viz:

"The few months of its existence have demonstrated that there is a growing demand for a publication devoted to the agricultural interests of the Territory, aside from sugar, and that this journal can supply that demand."

## FISH IS CHEAPER THAN MEAT

Supt. McVeigh is buying fish for the settlement now instead of meat and is effecting a saving of about two hundred dollars per month. About costs the settlement about one and a half cents per pound, while meat at high season has fish from the fisheries the fish costs a cent. The Hawaiian people like to eat fish with rice and it is quite a saving to the Territory the new plan will be to fish.





## HARD LUCK VOYAGE OF SHIP WHITNEY

After a voyage of 102 days the American ship Emily F. Whitney, Captain Goodman, arrived off port last evening from Newcastle, en route to Makaweli. The ship, however, was not 102 days in making the passage direct, for she put into Sydney, N. S. W., en route, having been partially dismantled in a gale after leaving Newcastle.

The vessel loaded coal at Newcastle and was bound for Makaweli. In a hurricane which she encountered shortly after leaving Newcastle she was dismantled, all her topmasts being carried away. Sails were also carried away and the rigging was badly cut up. During the storm a sailor named James Love was washed overboard and was not seen afterward. She put into Sydney where necessary repairs were made to enable her to continue the voyage to this port.

When the Whitney was here last she had a difficult time in going from Honolulu to Kahului, being about two months on the trip. She was swept far south in a northeaster and in beating back to the Maui port struck bad weather.

## HILL TAKING IN STEAMER LINES

TACOMA, Wash., April 29.—Practically all of the steamer lines on Puget Sound are now owned by two large companies, both of which are allied with James J. Hill's railroad interests. These corporations are the Pacific Coast Company, which for two years has been gradually absorbing a number of the most important steamship lines, and the Puget Sound Navigation Company, whose chief owners are related to the Hill family by marriage. The latter company has just purchased the steamers of the Bellingham Bay Transportation Company, which for years past has endeavored to maintain competing lines between Seattle and Bellingham. Two months ago the company went into a receiver's hands. Yesterday the Puget Sound Navigation Company bought all its property, including the steamers Bellingham and Dode, from Receiver Donovan at Bellingham.

## SEAMAN IS GIVEN DAMAGES

SEATTLE, May 6.—Patrick Woods, a seaman, who was badly injured while working on board the steamship Tampico last January, recovered \$2,000 damages from the Globe Navigation Company, as owner of that vessel, in the superior court this morning. Woods was hurt while attempting to furl a sail in a storm. The company, in its answer to his complaint, stated that the accident was due, not to the carelessness of the men in charge of the craft, as alleged, but "to the elements and the act of God." The jury which heard the case felt, however, that Woods was entitled to recompense for his injuries. Woods sued for \$10,000. The accident occurred while the Tampico was en route to Honolulu.

**Kauai Sugar.**  
The following sugar on Kauai ready for shipment is reported by Purser Friel of the W. G. Hall, K. S. M. 7500 bags, V. K. 1800, Mak. 26,400, G. & R. 1900, McE. 28,550, K. P. 8300, H. M. 6450, P. 2506, G. & F. 2395.

**Shipping Notes.**  
The Coptic was due to leave Yokohama yesterday for Honolulu.

The U. S. S. Mohican will leave for Cavite and Olongapo on Thursday.

The cruiser Marblehead and gunboat Concord are due from San Francisco on Thursday.

Admiral Terry and Admiral Glass made a formal call on the commander of the cruiser Buffalo yesterday.

Admiral Glass's fleet is due to leave Honolulu on June 3. The Buffalo will probably sail for Panama on June 2.

The bark George Curtis departed yesterday for San Francisco with a sugar cargo and a few passengers, among them being Mrs. E. M. Brown and Miss Hooge, daughter of W. H. Hooge.

The clothing of the men of the Mohican was fumigated yesterday at the quarantine station, owing to several cases of mumps which have developed among the crew.

About fifty people have applied at Davies & Co. for passage on the new Canadian-Australian steamship Manu, which is to leave for Victoria and Vancouver on June 1. The ship is to be commanded by Captain J. J. Davies, and will carry about thirty passengers and about thirty crew members.

**STEAMER INSURANCE.**—The steamer Whitney, which was damaged in a gale after leaving Newcastle, is insured by the Pacific Coast Company.

## GIANT CABLE STRAND ON SCOTIA IS IN JEOPARDY

It is understood that the giant cable which the Commercial Pacific Cable Company proposed to lay from Guam to Japan is on the Scotia, the ship of the Cable Maintenance Company, which was wrecked on the island of Guam some weeks ago as announced by cable in this paper at the time. The Scotia had in her specially constructed tanks the costly strand to unite the island belonging to the United States and the territory of the Mikado, and her movements were attracting special interest as it was said that the Russian government would protest against the laying of such a cable in time of war.

The Scotia was under the American flag, having obtained a registry while at Hongkong not long ago. She is of unusual draught and went ashore in the Gaspar straits some months ago. When she stranded at Guam, the Patrol was dispatched to her assistance from Singapore. When the Patrol got to Guam the Scotia was lying at an angle of 26 degrees on the reef, with heavy seas breaking over her and every indication that she would go to pieces.

The crew were all ashore, and the Patrol was hoping for good weather to save the cable. More than six weeks ago a dispatch from St. Petersburg said that a proclamation had been issued by the Czar which would make contraband of war a cable laid during the existence of the war from foreign to Japanese territory.

It is now learned that the United States government has not received any

formal application from the Commercial Pacific Cable Company to lay a cable from Guam to Japan, but that the government had been appealed to in a tentative way by representatives of the company so as to ascertain how the United States would view such an application if it should be made. No decision had been reached, although, in the light of present information there, disposition is manifest to regard such a request as reasonable and proper. It is considered that the laying of the cable would be purely a commercial transaction, and that to grant permission for the landing of the cable at Guam would not violate the position of neutrality which the United States has assumed in respect to the Russo-Japanese conflict. As heretofore indicated, if the permission should be granted, it is likely that the use of the cable, at least while the war is in progress, might be brought about by certain conditions, but even as to that point no definite decision has been reached. It is said at the War Department that this is the only outlet possible for Japan under present concessions. The Great Northern is the only company which has cables running into Japan, and that is a Danish company, under Russian control, it being the land line along the Siberian railway to the Asiatic coast. Russia has made no protest to the American government against the granting of permission to land the cable at Guam. It is assumed by officials at Washington that if a protest is made it will be filed through the regular diplomatic channels. What action the United States would take in that event cannot be foretold, as it would depend entirely on the circumstances of the case.—Manila Cable News.

## DEMOCRATIC COMMITTEE FILLS NUMEROUS VACANCIES

The Democratic Executive Committee met at Waverley Hall last evening and filled vacancies left in the committee by resignations and withdrawals. The committee is composed of twenty-five members and ten new ones were added last evening, among them being R. B. Kidd, who is Hearst's manager in Hawaii.

The new members of the committee are C. P. Lauke, W. S. Noblitt, R. B. Kidd, John K. Prendergast, John Emmeluth, David Kahaleaahu, D. E. Metzger, S. K. Kaloa, W. A. Kinney and H. T. Moore.

A number of reports were received from precinct clubs showing that Democratic organizations are being perfected in various parts of the city.

### THE COMMONS' "EGG BOILER."

In the British house of commons, as soon as the question to be decided is put from the chair, a clerk at the table sets in motion a huge sand glass, familiarly known to members as the "egg boiler," probably because it takes three minutes to run out. As the last sand runs through the glass the sergeant-at-arms instantly locks the massive oak doors of the chamber, and only those members who have succeeded in getting through the doorway can vote.

Leonard D. Baldwin of ex-Attorney General Griggs's law firm told the other day of an Irishman who was taken by his priest in an intoxicated condition to a cemetery and propped up against a gravestone. The priest had a lot of the Irishman's friends come to the cemetery dressed in winding sheets to scare him. The friends watched, while one of them went behind the gravestone and poured enough cold water on the Irishman's face to wake him up. The Irishman looked around him. He saw the tombs, the tombstones and the figures in winding sheets. "Shay, you fellers," he said, "ye've been here longer than Oi have. Whar kin Oi git a drink?"

Some amusing incidents marked the closing hours of the fifty-eighth congress. When the vote came in the house on a bill to reinstate some cadets dismissed from Annapolis for hazing, four athletic democratic congressmen, who favored the bill, surrounded Mr. Baker of New York, seized him by the arms and legs and tried to lift him into the air so that he would be recorded as voting for it. Baker is the man who declined to appoint a cadet to Annapolis because he disapproved of the institution. He showed unexpected physical prowess and stuck to his seat. The bill was defeated and the result was greeted with much applause.

Jemima—"Why does dat Paderosky McGinnis wear his hair so long?"  
Minerva—"Why, don't yer know dat he's de champeen mouth-organ player of de block?"—Chicago Daily News.

## BUFFALO CARRIES AN ITALIAN BAND

When Prince Luigi arrives here to-day or tomorrow on the Italian warship Liguria, he may be sure of a warm musical reception from the band of the United States training ship Buffalo. The members of the band, with probably one exception, are Italians.

A band composed of foreigners is not altogether an innovation in the American navy, but as the sons of Italy are generally good musicians, it sometimes happens that in recruiting for the navy's naval orchestras the Italians have an inside opportunity to get on the payroll.

The Buffalo's band, while not a large one, is pronounced to be all right. Yesterday while the vessel was taking in the sand of coal the band was stationed on the deck and played a number of songs and dances popular with the sailors. The band is to be disbanded when the vessel returns to the United States.

The Atlantic seaboard naval stations asked for a band. To his surprise every man jack of the bandmen was an Italian and but few could speak English. The result was an explosion of protest on the part of the commandant, and in due time the Italian band was replaced by one in which English was the official language.

## ROUGH WEATHER AT GARDEN ISLE

Purser Friel of the steamer W. G. Hall which arrived yesterday from Kauai, reports:

"Steamer Mikahala at Waimanalo weather-bound. Too rough to discharge lumber or food sugar. It was too rough at Koloa Saturday to load sugar. We got 1000 bags aboard and had to stop work and go to Ahukini for the balance of the load. Ship Henry Villard at Koloa loading sugar. Southerly winds and swell on the coast of Kauai."

## NIBBLACK TO PLACE RANGES

Mr. Nibblack, of the Hawaiian Yacht Club, has just received a new range for his boat. The range is a new one, and is of the latest make. It is a very good one, and is well adapted for the boat. Mr. Nibblack is a very good sailor, and is well known in the Hawaiian Yacht Club.

## JAPANESE HIT HARD

### The High Price of Rice Sickens Them of Hawaii.

On the steamer Siberia arrived on the 20th of this month among other freight for Honolulu there are 62,163 bags of rice. If it is a cleaned rice weighing 100 pounds each it will pay in landing at \$2 a bag, \$124,326 in gold duty to the Federal Government. This is only for a fraction of a cargo on a single ship. Rice being a staple food for the Japanese and Chinese, making up together about two-thirds of the population of this country, a staple not produced in sufficient quantities on the Islands, it is obvious who is going to pay this part of our tribute to the Federal Treasury. A bag of rice in Japan costs \$2.25. Here it is about \$5, more than the double. As Japanese and Chinese laborers, who are expected to perform on the sugar plantations the same amount of work as they do in Japan, must also be expected to consume the same amount of this staple food paying for it twice as much as in Japan their purchasing capacity must necessarily be the double of what it is in Japan, and since it depends on wages alone, it follows that their Hawaiian wages ought to be the double of those in Japan.

In Togashima coal mines, near Nagasaki, employing thousands of laborers and providing them with free quarters, the average daily wages before the war of a laborer, are 50 cents gold for ten hours' work, of which only eight hours constitute the actual work in mines. Here the wages on the plantation fields are 65¢ cents, counting \$17 a month for only twenty-six days of work, and since laborer has to sustain himself out of the same \$17 for four Sundays too, his wages actually are but 50.7 cents a day, viz, but seven-tenths of a cent a day more than in Japan.

The high cost of living on the Islands, about twenty-five per cent higher than on the Coast, is one of the potent causes of the Japanese emigration to the American Continent. On that continent they find the living cheaper (Louisiana rice) and the wages higher. If we add to this the larger field presented by the continent to a working man, the chances of betterment of his condition in other branches of industry and skilled labor, chances that he utterly lacks here, being doomed for ever to the work in the field, we will easily understand why together with laborers of other nationalities he regards Hawaii only as a temporary station on the way to the continent.—Hawaii Shippo.

## A CITIZEN'S STORY

Told by a Honolulu Citizen for the Benefit of Honolulu People.

The greatest importance attached to the following is that it concerns a Honolulu citizen. It would lose three-quarters of its interest if it involved some resident of Kalamazoo, Mich., or Woonsocket, R. I. Like all the testimony which has appeared here, and like all which will follow about the Old Quaker remedy, Doan's Backache Kidney Pills, it comes from residents, fellow citizens and neighbors. No other remedy can show such a record of home cures. Read this case:

Mrs. Emma Vieira, of King street, this city, says: "For three or four years I had the misfortune to be afflicted with an aching back. The pain and discomfort this entailed on me can be better imagined than described. I have two children, and it was of course difficult for me to attend to them while oppressed with suffering. The way in which I found relief eventually was by using Doan's Backache Kidney Pills, procured at the Hollister Drug Co.'s store. They did me a large amount of good, as I now testify. I should certainly recommend those who have backache or any other form of kidney trouble to try Doan's Backache Kidney Pills."

Doan's Backache Kidney Pills are for sale by all dealers. Price 50 cents per box (six boxes \$2.50). Mailed on receipt of price by the Hollister Drug Co., Ltd., Honolulu, wholesale agents for the Hawaiian Islands. Remember the name Doan's, and take no other.

## YACHTS OFF ON FRIDAY

Crews Will Attend the Luau at Haleiwa Saturday.

The officials and captains of yachts of the Hawaii Yacht Club met yesterday and decided upon the itinerary of the cruise around the Island of Oahu. The plan is to leave Honolulu at 10 o'clock Friday night, cruising to Waimanalo by midnight, and arriving at the Haleiwa Hotel premises by daylight on Saturday.

Saturday will be spent at Waimanalo, the forecast being that it will be a very good day. The plan is to leave Waimanalo at 10 o'clock Sunday morning, and arrive at the Haleiwa Hotel premises by daylight on Sunday.

## COURT NOTICES

IN THE CIRCUIT COURT OF THE FIFTH CIRCUIT, TERRITORY OF HAWAII—AT CHAMBERS—IN PROBATE.

In the matter of the Estate of Harry Nunn, of Makaweli, Kauai, deceased—Order of Notice of Hearing Petition for Allowance of Final Accounts, Distribution and Discharge. On reading and filing the Petition and Accounts of Mrs. Helen Nunn, formerly of said Makaweli, Kauai, administratrix of the above entitled estate, where in she asks to be allowed \$418.33 and she charges herself with \$1417.64, and asks that the same may be examined and approved, and that a final order may be made of distribution of the property remaining in her hands to the persons thereto entitled, and discharging her and her sureties from all further responsibility as such administratrix.

It is ordered, that Thursday, the 9th day of June, A. D. 1904, at ten o'clock a. m., before the Judge of said Court at the Court Room of the said Court at Lihue, Island of Kauai, be and the same hereby is appointed as the time and place for hearing said Petition and Accounts, and that all persons interested may then and there appear and show cause, if any they have, why the same should not be granted, and may present evidence as to who are entitled to the said property. And that notice of this Order, in the English language, be published in the Hawaiian Gazette, newspaper printed and published in Honolulu, for three successive weeks, the last publication to be not less than two weeks previous to the time therein appointed for said hearing.

Dated at Lihue, this 20th day of April, 1904.

By the Court: (Signed) JNO. A. PALMER, Clerk.

2586—May 3, 10, 17, 24.

## NOTICE TO CREDITORS

ESTATE ALBION H. GLENNAN.

The undersigned, having been duly appointed as Administrator of the Estate of Albion H. Glennan, late of Makaweli, Island of Kauai, deceased, hereby gives notice to all creditors of said deceased to present their claims, duly authenticated, and with proper vouchers, if any exist, even if the claim is secured by mortgage upon real estate, to him, either at his residence or place of business, within six months from the day of this publication, or within six months from the day they fall due. If not so presented they will be forever barred. And all persons owing the said deceased are requested to make immediate settlement with the undersigned.

JNO. A. PALMER, Administrator of the Estate of Albion H. Glennan, deceased.

Lihue, Kauai, April 13th, 1904.

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number, and a number of friends who will go to Haleiwa from Honolulu on Saturday by train, at a luau.

The yachts will depart on Sunday, either at 10 a. m. or 2 p. m. for Kaneohe, the time of departure depending upon the wind.

It is proposed to stay at Kaneohe that night, and start for Honolulu on Monday morning by daylight.

While cruising at night all yachts will be compelled to abide by the regulation which requires side lights to be carried. One gun to start will be fired on Friday night, the Spray starting one hour beforehand in order to be with the yachts when they arrive at Waimanalo, as all the yachts will proceed to the anchorage in fleet order. It has been decided that the captains of yachts and the crews will appear at the Haleiwa Hotel luau and dance following in yachting costume, no effort being made to wear formal evening dress. The yachtsmen and friends will be seated at one table by themselves.

The yachts will be decorated with flags on Saturday and in the evening some attempt will be made to make them look gay in the offing by dressing them with Chinese lanterns.

There will be five yachts in the cruise, as follows: Helene, Spray, La Paloma, Gladys and Hawaii. Two cups are offered for prizes.

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FORT STREET.

### FOR SALE.

Two small boats for sale from the Honolulu Yacht Club. One is a 12 foot boat, and the other is a 14 foot boat. Both are in good condition, and are well adapted for the water. They are for sale at a low price, and are a good opportunity for anyone who wants a small boat.